



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	COUNCIL ON REAL ESTATE APPRAISERS
MEETING DATE AND TIME:	Tuesday, February 15, 2011 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , 2nd floor of the Cannon Building
MINUTES APPROVED:	March 15, 2011

Members Present

William Diveley, Chair, Professional Member
Gary V. Parker, Vice Chair, Professional Member
Stephen Huston, Professional Member
Brad Levering, Professional Member
Frank Long, Public Member
Frank Smith, Public Member
Yvonne Rickards, Public Banking Member
Ronald Mandato, Professional Member

Division Staff/Deputy Attorney General

Patricia Davis-Oliva, Deputy Attorney General
Sandra Wagner, Administrative Specialist III

Members Absent

Others Present

Earl Loomis
Phil Mc Ginnis

Call to Order

Mr. Diveley called the meeting to order at 9:30 am.

Review and Approval of Minutes

The Council reviewed the minutes from the January 18, 2011 meeting. Mr. Long made a motion, seconded by Mr. Levering, to approve the minutes as submitted. Motion carried unanimously.

Unfinished Business

Consent Orders signed

Mr. Huston made a motion, seconded by Mr. Smith, to accept the signed consent order for William G. Rayfield, complaint 19-01-09. The motion carried unanimously.

Mr. Parker made a motion, seconded by Mr. Huston, to accept the signed consent order for Lynn Perrine-Manus, complaint 19-13-09. The motion carried unanimously.

Hearing Scheduled

The Board will be holding a hearing on 3-15-2011 for Kelly Leaberry.

Regulation of Appraisal Management Companies (AMA's)

Discussion: If the Board accepts the draft then what happens next is that it would need to be proposed to Legislators. Mr. Levering said if anyone had any questions after reviewing, to please contact the sub-committee for Real Estate Appraisers. This will go on Agenda for next meeting.

Review of Rule 4.2.4: Supervision of Trainees after Sanction by Council

Discussion: If the Board gives any sanction to a licensed Real Estate Appraiser who supervises trainees, the Board's current Rules and Regulations says that they have to wait 3 years before they can supervise trainees again. Mr. Levering says that this is something that should be thought about carefully. Mr. Parker asked why trainees should be put out because of the supervisor's behavior depending upon what the infractions is by the supervisor. Mr. Huston says that trainees should not be punished for their supervising Real Estate Appraiser's infractions. Trainees are being punished for something that they have no control over. Ms. Davis-Oliva stated that this is a rule and regulation and if the Board comes up with a way to change this then let her know and she can write the change up and they can propose the changes. The Board as a whole is concerned about consistency. Mr. Levering said he thinks the Board should sit on it and think about what should be done and have this discussion at the next meeting.

CMA Statute Changes

Final version of the CMA draft legislation was presented to the Council and Mr. Phil McGinnis from the Delaware Association of Realtors spoke about the final version. Mr. Huston reviewed the added line to allow the Real Estate Agent to complete a CMA when working with a buyer. Mr. Levering asked what the added information was and Mr. Huston read Mr. Levering the change.

Mr. McGinnis addressed how across the United States the Real Estate Agents are struggling when to do a CMA or when not to due to all the repossessions and short sales going on around the United States. The DAR is worried that using these loop holes to

short circuit sales and to cross signs. Uneducated and non-licensed people are giving opinions and values about sales. The Delaware Association of Realtors would ask the Board of Appraisers to endorse this legislation and they would work on getting it through when they have their Joint Sunset Meeting later in the week. Mr. Parker made a motion, seconded by Mr. Mandato, to ratify the language in the CMA statute change. The motion carried unanimously.

New Business

New Complaints 19-01-11: Assign a Contact Person

Complaint 19-01-11 was assigned to Mr. Parker. There was no further discussion.

Ratification of Issued Continuing Education Activities

Mr. Parker made a motion to ratify the CE listing, seconded by Mr. Levering. Motion carried unanimously.

Ratification of Issued Licenses

Michael Brown – Trainee: Supervisor – Scott Brown
John Crognale – PA: Certified General
Daniel Knezevich – PA, NJ: Certified General
Danny Coldren – PA: Certified Residential
Eric Sharp – NJ: Certified General

Mr. Huston made a motion, seconded by Mr. Long, to ratify the above list. Motion carried unanimously.

Review of Temp Applications

Ms. Wagner advised that these permits were issued as the applicants' licenses were in good standing on the National Registry. Mr. Diveley announced the listing of the temporary permits issued below.

Nicholas Wuensch – New Castle Co.
Michael Yandel – New Castle Co.
Lee Cissna – New Castle Co.
Ronald Owens – Kent Co.
Matthew Bilger – 5 Wilmington Trust Companies in Sussex Co.
Patrick Craig – 5 Wilmington Trust Companies in Sussex Co.

There was no further discussion by the Council.

Other Business before the Council (for discussion only)

Ms. Davis-Oliva wanted to discuss a letter she received on the proposed assessor regulations. Ms. Davis-Oliva commented on the letter she received from the Delaware League of Local Governments. They stated it sounded good to them. The Delaware League of Local Governments had a question on their response that Ms. Davis-Oliva will have to look into and let them know regarding the use of lay persons on municipal assessment boards. Ms. Davis-Oliva requested a reminder letter sent to the Delaware Association of County's since the Board has not heard back from them yet.

Public Comment

Mr. Loomis is one of the many instructors that teach Delaware Law and Rules and he comes to the meetings to hear first hand the information that the Board discusses at their meetings. Mr. Loomis addressed the Council regarding the hearing for Mr. Nickel. Mr. Nickel's asked Mr. Loomis to be the supervisor of his trainees since he can not be a supervisor at this time. To keep them from losing their jobs he agreed if necessary, to be a supervisor for the three trainees that Mr. Nickel had. Mr. Loomis thought the punishment for Mr. Nickel was too severe but that was just his opinion. If discipline is given to someone that has trainees, he feels that maybe the trainees the supervisor currently has would not be affected; however they wouldn't be able to be a supervisor to anyone new. That would be his opinion if they update that rule.

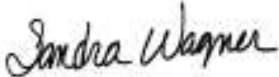
Next Meeting

The next meeting is scheduled for March 15, 2011 at 9:30 a.m. in Conference Room A second floor, Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

Mr. Long made a motion, seconded by Mr. Mandato to adjourn the meeting. There being no further business before the Council, the meeting adjourned at 10:25 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sandra Wagner".

Sandra Wagner
Administrative Specialist III